

## **IN THE CLAIMS**

1. (original) Apparatus for the creation of electronic data software for yielding information for indication of antimicrobial synergism for a fragrance-antibacterial formulation or for a perfumed article-antibacterial formulation comprising:
  - (a) means for the ascertainment of specific antimicrobial fragrance or perfumed article components, which individually eliminate given microorganisms on a solid or semi-solid surface or in a three-space inhabited by said microorganisms, measured by  $\delta_{A_i}$  or  $\delta_{V_i}$  with associated data input to the memory of a computer server ;
  - (b) means for formulating one or more mixtures of said specific antimicrobial fragrance or perfumed article compositions of (a) having weight fractions or mole fractions of components  $f_{i_A}$  and  $f_{i_B}$ , with associated data input to the memory of a computer server;
  - (c) means for ascertainment of data indicative of antimicrobial activity of the mixtures of (b),  $\Delta_A$ , with associated data input to the memory of a computer server;
  - (d) means for calculation of the expected value,  $\Delta_E$  , of antimicrobial activity of the mixtures of (b) using the inputted, stored memory data of (a)(  $\delta_{A_i}$  or  $\delta_{B_i}$  ) and (b) (  $f_{i_A}$  and  $f_{i_B}$  ) according to the algorithm  $\Delta_E = \sum \delta_{A_i} f_{i_A} + \sum \delta_{B_i} f_{i_B}$ ;
  - (e) means for storing in the computer memory, the data required for calculation of  $K$ , the IFF antimicrobial/olfactory synergism test constant which is the product of  $\Delta_E$  and  $\pi$ , a pre-selected confidence interval fraction in the range of from about 0.005 up to about 0.1;
  - (f) means for ascertainment of the difference,  $(\Delta_A - \Delta_E)$  and the product,  $(\pi)\Delta_E$  with associated data input;
  - (g) means for instructing the setting of a system to accept a formulation in the event  $(\Delta_A - \Delta_E) \geq K$  or  $\lambda > 0$ , and reject a formulation in the event of:  $\lambda \leq 0$  wherein  $\lambda$  is a measure of the degree of synergism defined according to the formula:  $\lambda = (\Delta_A - \Delta_E) - K$ ; and

(h) means for instructing the repeating of steps (a) – (g) inclusive in the event of a result of:

**$\lambda \leq 0$ .**

Claims 2-32 (cancelled).

Claim 33 (new).      Apparatus for the creation of electronic data software for yielding information for indication of antimicrobial synergism for a fragrance-antibacterial formulation or for a perfumed article-antibacterial formulation comprising:

- (i) means for the ascertainment of specific antimicrobial fragrance or perfumed article components, which individually eliminate given microorganisms on a solid or semi-solid surface or in a three-space inhabited by said microorganisms, measured by  $\delta_{A_i}$  or  $\delta_{V_i}$  with associated data input to the memory of a computer server;
- (j) means for formulating one or more mixtures of said specific antimicrobial fragrance or perfumed article compositions of (a) having weight fractions or mole fractions of components  $f_{i_A}$  and  $f_{i_B}$ , with associated data input to the memory of a computer server;
- (k) means for ascertainment of data indicative of antimicrobial activity of the mixtures of (b),  $\Delta_A$ , with associated data input to the memory of a computer server;
- (l) means for calculation of the expected value,  $\Delta_E$ , of antimicrobial activity of the mixtures of (b) using the inputted, stored memory data of (a) ( $\delta_{A_i}$  or  $\delta_{B_i}$ ) and (b) ( $f_{i_A}$  and  $f_{i_B}$ ) according to the algorithm  $\Delta_E = \sum \delta_{A_i} f_{i_A} + \sum \delta_{B_i} f_{i_B}$ ;
- (m) means for storing in the computer memory, the data required for calculation of  $K$ , the IFF antimicrobial/olfactory synergism test constant which is the product of  $\Delta_E$  and  $\pi$ , a pre-selected confidence interval fraction in the range of from about 0.005 up to about 0.1;
- (n) means for ascertainment of the difference,  $(\Delta_A - \Delta_E)$  and the product,  $(\pi)\Delta_E$  with associated data input;

(o) means for instructing the setting of a system to accept a formulation in the event

$(\Delta_A - \Delta_E) \geq K$  or  $\lambda > 0$ , and reject a formulation in the event of:  $\lambda \leq 0$  wherein  $\lambda$  is a measure of the degree of synergism defined according to the formula:  $\lambda = (\Delta_A - \Delta_E) - K$ ; and

(p) means for instructing the repeating of steps (a) – (g) inclusive in the event of a result of:  $\lambda \leq 0$ .

Claim 34 (new). The apparatus of claim 33 wherein the degree of synergism defined according to the formula:

$\lambda = (\Delta_A - \Delta_E) - K$  is according to the formula,  $\lambda = (D_A - D_E) - K$  wherein  $D_A$  is the average diameter of the zone of antimicrobial inhibition, and  $D_E$  is the expected value of the average diameter of the zone of antimicrobial inhibition.

Claim 35 (new). The apparatus of claim 34 wherein  $\lambda$  is a linear function of  $\mu$ , which is defined according to the formula:  $\mu = \frac{1}{10}(MW - 100)$  and MW is the molecular weight of the organoleptically-compatible antimicrobial synergism cofactor.

Claim 36 (new). A process for formulating an antimicrobial synergistic composition for creation of an antimicrobial formulation containing components “A” and “B” wherein component “A” is a proposed antimicrobial substance and component “B” is a proposed organoleptically-compatible antimicrobial synergism cofactor substance comprising the steps of:

- (a) testing pure component “A” for antimicrobial activity and determining the diameter of the zone of inhibition measuring antimicrobial activity thereof,  $D_S$ ;
- (b) testing pure component “B” for antimicrobial activity and determining the diameter of the zone of inhibition measuring antimicrobial activity thereof,  $D_B$ ;

- (c) inputting into computer memory the component “A” test results;
- (d) inputting into computer memory the component “B” test results;
- (e) formulating a mixture of components “A” and “B” having, respectively, mole fractions  $f_S$  and  $f_B$ ;
- (f) inputting into computer memory the formulation data;
- (g) calculating the expected value,  $D_E$  of the dimension of the antimicrobial zone effected by the application of the formulation, according to the formula:  $D_E = f_B D_B + f_S D_S$ ;
- (q) testing for antimicrobial activity, the mixture of components “A” and “B” and determining the value of the zone of inhibition measuring antimicrobial activity thereof,  $D_A$ ;
- (r) inputting into the computer the values of  $D_E$  and  $D_A$ ;
- (s) inputting instructions into the computer memory for the ascertainment of the value of  $\lambda$ , the degree of synergism, using the algorithm:  $\lambda = (D_A - D_E) - K$  wherein the value of  $K$  is the product of the expected value of the zone of inhibition,  $D_E$  and  $\pi$ , the value of a preselected confidence interval fraction between about 0.005 and 0.1,  $K = \pi D_E$ ;
- (t) inputting instructions into the computer memory for the setting of the system to accept the formulation of the mixture of components “A” and “B” in the event of the existence of synergism wherein  $\lambda > 0$ ;

- (u) inputting instructions into the computer memory for the rejection of the formulation in the event of a lack of synergism wherein  $\lambda \leq 0$ ; and
- (v) inputting instructions into the computer memory for reformulation and/or rechoice of components in the event of rejection of the formulation in the event of a lack of synergism wherein  $\lambda \leq 0$ .

Claim 37 (new). The process of claim 36 wherein component “A” is salicylaldehyde.

Claim 38 (new). A process for eliminating at least one microorganism selected from the group consisting of:

*Eschericia coli*;  
*Enterococcus hirae*;  
*Pseudomonas aeruginosa*;  
*Staphylococcus aureus*; and  
*Saccharomyces cerevisiae*

from the scalp epidermis or scalp hair inhabited by at least one of said microorganisms and imparting fragrance thereto, comprising the step of applying to said scalp epidermis or scalp hair a microorganism-eliminating concentration and quantity of a hair spray formulation comprising a compatible fragrance and an efficacious quantity and concentration of a mixture of indole, 4-terpinenol and salicylaldehyde, wherein said indole and 4-terpinenol are synergistic cofactor substances for said salicylaldehyde.

Claim 39 (new). The process of claim 38 wherein the weight ratio of salicylaldehyde:indole:4-terpinenol is 1:1:1.